

REMARKS

Claims 41 and 46 are amended to more distinctly and accurately claim the present subject matter. Claims 1-6, 12, 21-40, and 49-56 are canceled. No claims are added. No claims are withdrawn. As a result, Claims 41-48 are now pending in this application.

The Telephonic Restriction Requirement of February 29, 2008 asserted that restriction to one of the following is required:

- I. Claims 1-24.
- II. Claims 25-40.
- III. Claims 41-48.
- IV. Claims 49-50.
- V. Claims 51-56.

In response to this Telephonic Restriction Requirement, Applicant elects, *without traverse*, to prosecute Group III, identified in the Telephonic Restriction Requirement as claims 41-48. Accordingly, Applicant hereby cancels claims 1-6, 12, 21-40, and 59-56 without prejudice or disclaimer. Applicant reserves the right to re-introduce such cancelled claims later in the examination of this patent application or in one or more divisional patent applications.

RESPONSE TO TELEPHONIC RESTRICTION REQUIREMENT

Page 7

Serial Number: 10/749,093

Dkt: 279.B31US2

Filing Date: December 17, 2003

Title: PATIENT CONTROLLED THERAPY MANAGEMENT AND DIAGNOSTIC DEVICE WITH HUMAN FACTORS INTERFACE

CONCLUSION


Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 371-2174 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,


SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 371-2174

Date March 5 2008

By 
Edward J. Sandor
Reg. No. 60,826

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 5 day of March 2008.

KATE GANNON
Name


Signature